

FREEDOM IN KANSAS.

CLOSING SPEECH

OF

WILLIAM H. SEWARD,

IN THE SENATE OF THE UNITED STATES,

APRIL 30, 1858.

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SPEECH OF MR. SEWARD.

MR. PRESIDENT : This debate has manifestly lost some of its interest, although it rapidly approaches a yet undetermined conclusion. The length of time it has occupied may account in a degree for the decline of excitement. Repetition of the same topics, and even of the same arguments, not indeed too frequent for duly enlightening the minds of the people of the United States, yet too frequent for patient endurance here, is a further cause. I think, however, that something is due also to the change of form which the subject has at last assumed. We began with high-sounding themes, nothing less than popular sovereignty, and we rose speedily and justly into the region of the rights of human nature. The question wore this dignity when we gave it to the committee of conference. It comes back from the conference chamber, reduced into a mere artifice—if it were respectful, I should say a trick—of legislative legerdemain. It is assumed that one or both of two irreconcilable factions are to be deceived; all that seems to be left for us to discuss, or the public to consider, is, who is the dupe?

This, Mr. President, is that kind of debate for which I have the least taste, and, as I think, the least talent. Among my oldest recollections is one that a person named Redheifer put into operation in the city of Philadelphia, and in the neighborhood of Congress, a curious combination of mechanism—a self-moving machine, or perpetual motion, which was to supersede water, wind, steam, and every other motive power. It worked effectively, beautifully, perfectly; but when the public expectation was satisfied with this great success, Congress, the Legislature of Pennsylvania, and everybody else, demanded that the machine should immediately be taken to pieces. Concluding justly that there was a human agent within or connected with it, they wanted to see whether that living main-spring was concealed in the upper or in the nether compartment of the engine, whether in the chamber above or in the cellar below, or in an adjoining or a distant house or street. I felt no interest in that search. The machine was a very good thing as it was; it would be a very worthless thing when the secret should be found out.

So, also, I remember that in later years a German, with invention characteristic of his nation and his race, put into action in the city of New York an automaton chess-player. It was constructed so skillfully, and mysteriously endowed with such intelligence, that though a creation of the human hand, it would not only beat every adversary, but would even shriek out the cry "check," to the dismay of the vanquished competitor. Just so soon as it was certain that the machine was perfect, all the world clamored to have it taken to pieces, to ascertain the whereabouts of the hidden intelligence which mysteriously directed the movements of the emblematical figures on the chess-board. I took no interest in that question; I was satisfied with the chess-player as it was, and I knew all the world would like it less when they came to learn more of what remained to be known about it. I acted in those cases on this principle; that no one was deceived by those ingenious contrivances but those who wanted to be duped. So it is with the bill of the conference committee on Kansas. It was gotten up to favor a purpose of self-deception; gotten up with care, so that it could not be explained satisfactorily by the one faction to the other, or even to itself.

Mr. President, after this explanation, I might pass over the details of the bill. I might do so all the more reasonably, because the puzzle which it presents has been explained satisfactorily, triumphantly, by the very astute Senator from Vermont, [Mr. COLLAMER,] by the honorable Senator from Ohio, [Mr. WADE,] always effective, and by all my other associates on this side of the chamber, as well as by the distinguished Senators from Illinois and Michigan. I shall therefore be very brief in my analysis of the bill.

In the first place, Mr. President, it makes up and submits to the people of Kansas, and to the country, a foreign, a fictitious, a false issue, in place of the true one. The true issue is the question, whether the people of Kansas shall, or shall not, as a condition of coming into the Union, have a right to accept or reject the Lecompton Constitution. Now, be it understood that Congress gives to every new State when it comes into the Union a dowry, taken from the public lands within its borders. Every new State receives it in every case. Practically speaking, no question is ever raised in Congress upon the subject of giving such a dowry, or upon the extent of the dowry to be assigned. The Lecompton Convention sent to us an application or demand for a dowry much larger than is usually granted. The Senate passed a bill to admit Kansas into the Union, which left the subject of the dowry outside, and postponed it to a future day, and contented themselves with barely disclaiming any assent to the demand which the Lecompton Convention had made.

The House of Representatives treated the matter substantially in the same way. They turned to the Minnesota bill, and copied from it into their Kansas bill which they sent to the Senate, a provision by which Kansas should receive a dowry exactly equal to that assigned to Minnesota. The Senate raised no special objection to that part of the House bill. Indeed, from the beginning of the debate until the appointment of the committee of conference, no question about the amount or value of the dowry was ever heard of in either House. Each was ready to acquiesce with the other on this point. When the bill came back from the conference chamber, we found a recital in it to the effect that there is a difference between Congress and the people of Kansas about the amount of the dowry upon which Congress desires to submit a proposition to that people. The bill proceeds, therefore, to submit that proposition. The reporter tells me that the debates of this Congress, as published in the Congressional Globe, fill up eighteen hundred quarto pages; and that of this immense volume of words which has been poured out here, and is now flowing in rivers over this broad land, nine hundred pages are occupied with the subject of Kansas. Now, sir, I will listen, with respect and kindness, to any Senator who will show me in the debates of either House one word, not to say one page, that alludes to the dispute concerning a dowry which the conference committee have assumed is so perplexing to Congress, and which they propose to us to refer to the people of Kansas for settlement.

This dispute about the dowry is therefore a feigned issue, a fabricated issue, a false issue, substituted for the true and real one. It is a resort in legislation to a practice of the lawyers in the times of black-letter learning. When an honest, straight-forward man, who was the owner of a freehold, was turned out with violence, they would not let him bring an action in his own name against the intruder, but would oblige him to copy out from the book of forms a summons in the name of James Jackson, an imaginary man who it was pretended had been in possession of the premises under a fictitious lease from the real owner, and was represented to have been expelled therefrom by an imaginary intruder, called a casual ejector, I think, and named John Stiles. The lawyer made up the issue, in due form, between these two imaginary litigants upon this groundless statement of facts; and so the honest man tried his title to his freehold, not against the actual trespasser, but against a man of straw, and recovered it, not in his own name, but in the name of a man of hay. I believe that all the States of the Union have abolished these miserable artifices, which anciently figured in the conduct of legal proceedings. What earthly necessity is there for resorting to them in legislation? Sir, I have no patience with such devices here. Though a man generally of gentle dispositions, some good nature, and much endurance, I feel, when I meet such a false issue as this put into the place of a true one, in the course of our legislation, very much like the chivalrous Virginia gentleman, who, happening to be abroad in his neighborhood when the sheriff came through it, serving summonses in ejectment in the name of James Jackson against John Stiles everywhere, and leaving them there,

with their ominous mysteries, to disturb so many good and quiet freemen, pursued and overtook the sheriff, and asked if he could tell him where that litigious James Jackson lived, because, if he could only find out his place of residence, he would send him a challenge. [Laughter.]

I show the Senate, next, a second false issue, an issue concerning the actual amount of the population in Kansas. The conference committee has found out that the population is just large enough to make a slave State, and by no means large enough to make a free State. There are just enough people to warrant their admission into the Union as a State if they will accept the Lecompton Constitution, and by no means enough, not half enough, to warrant their admission under any other Constitution. When did this new question of numbers arise in this debate? Just on that day, and precisely at that hour, at that moment, when the report of the committee of conference was brought into the Senate and Representatives' Chambers.

I would not dwell on this false issue, if I had not evidence that it is effective here. It seems to be carrying with it the vote of the honorable Senator from Ohio, who has spoken this morning, [Mr. PUGH.] At least, I can find no other explanation of his course on this bill. That honorable Senator, under instructions of his Legislature, voted against the Senate bill, because it did not submit the Lecompton Constitution to the people. He tells us now that this new bill does not submit the Lecompton Constitution to the people, and yet he votes for it.

Mr. PUGH. I should like to ask the Senator where his authority is for stating that that was the reason for my going against it?

Mr. SEWARD. I am arguing, sir.

Mr. PUGH. That was not the instruction. The instruction was not based on that ground.

Mr. SEWARD. As the honorable gentleman has left his course obscure, I am endeavoring to arrive at results by such lights as shine along our way. I hope to do him no injustice. I infer that he votes for this bill on the ground that Kansas has got just numbers enough to make a slave State, and not numbers enough to make a free State. The honorable Senator has taken more pains to refer to the speeches that I have made in the Senate heretofore, than I ever took for myself. He has so presented remarks taken from these speeches as to imply that, in 1856, I stood upon the ground that there were votes enough to make a State in Kansas; and if there were not, there soon would be.

Sir, I have heard the extracts from those speeches which have been read. I ask, when I ever promised the rapid settlement of a new State under the ravages of invasion and amid the desolations of civil war? I spoke for the advance of Kansas under the Topeka Constitution, which I urged the Senate to recognise—in other words, as a free State. I ask again, did I stand up here and promise a vernal, a luxuriant growth, to a slave State planted anywhere, much more to a slave State planted north of 36° 30' of north latitude? No, sir. Continue civil war and Slavery in Kansas, or even continue Slavery there alone, and my promises that she shall have population enough to make a State entitled to a Representative in the House of Representatives will be postponed as long as the promises made in the same respect in regard to Florida, for aught I know. I know better, sir, what it is that makes States stand and flourish, or droop and decline.

I was very young when I first saw the play of Othello exhibited, but yet not so dull that when I saw the first act opened with the odious scene of amalgamation—the Moorish general married to the fair daughter of the Senator of Venice—I did not know that contentions and strifes would follow in the second act, and that desolation and death would be the *denouement* of the drama.

Sir, I stood here in 1856, as I stand here now, advocating the admission of Kansas as a free State, upon the ground, not of a superabundant or even a sufficient population, but simply of necessity, even though I confessed it to be a revolutionary movement under constitutional forms, to arrest evils for which there seemed to be no other remedy. It would have been well, if you had listened to my counsel then. I stand on the same ground now. It is immaterial to me, totally immaterial, whether Kansas has ten thousand or ten hundred thousand people. I shall vote for her admission under a Constitution of her own choice, that secures equal and impartial liberty to all her people, with her present population, be it what it may. You may pile numbers upward until you equal the population of China and the myriads of the teeming East, yet I will not give a vote to admit the new State

in opposition to its own will, or in violence against its own just convictions of the dignity of human labor.

Mr. President, I allege against this bill a third fault, namely, that it is indirect. It bears the stamp of equivocation upon every page and every line. The issue which was raised between the two Houses, as I have already said, was whether Kansas should be admitted with or without the submission of the Lecompton Constitution to the people. Parties in Congress and in the country had committed themselves upon that issue, as they thought, irrevocably. Does this bill submit the Lecompton Constitution to the people, or does it not? There is the puzzle. The party who objected to the admission of Kansas under the Lecompton Constitution, because it was not submitted by the Senate's bill, are expected to say, and some of them do say, that their difficulty is removed now, because this bill does submit that Constitution to the people. The party who were committed to vote against any bill by which it should be submitted, are content with this bill, because they say it does not submit the Lecompton Constitution.

Here is a question which I must solve. It lies right across my way. Well, sir, I have made up my mind upon it; I have reached the conclusion that the bill does not submit the Lecompton Constitution to the people. No, sir; not at all. I think so because its two Senatorial fathers of the committee of conference, the honorable Senator from Missouri, [Mr. GREEN,] and the honorable Senator from Virginia, [Mr. HUNTER,] reject the construction which represents that the Constitution is submitted. Certainly this is the very best authority. I look into the bill itself, and I find that it carefully defines and limits what it does submit. What it submits, is the question of dowry; nothing more, nothing less, nothing else; dowry or no dowry, so pure and simple is the question submitted. I look further into the contents of the bill; I go backward, of course, to the beginning. I find that the bill begins with a recital of the only point of difference, and that is the amount of the dowry. Thus I have shown, most clearly, that the bill does not at all submit the Lecompton Constitution to the people of Kansas. Indeed, I claim the thanks of the non-submissionists for having established their position immovably.

But, Mr. President, in pursuing the subject, I have made up my mind that the bill does submit the Lecompton Constitution to the people. I will prove it. There is to be an election held in Kansas, and at that election the question is to be submitted to the people, Will you accept the dowry proposed by Congress, or will you not? If they accept the dowry, then the Lecompton Constitution, with its hideous and ferocious features and its blood-stained hands, stands erect in Kansas, and, except as God may preserve the people from seduction and intimidation, it stands forever. But if the people say nay to the dowry, then the monster Lecompton perishes and dies in the prolonged agony of its birth. Now, Mr. President, how can this consequence, this result, follow the decision of the people at this election, and necessarily follow it, unless a question which involves that consequence has been submitted to the people? I submit, sir, without fear of contradiction, that I have shown that this bill does submit the Lecompton Constitution to the people of Kansas.

I am confirmed in this view of the case by the fact that it agrees with the construction of the bill adopted by those who were expected by the framers of the bill to be reconciled to its support, because it submits the Lecompton Constitution. It must be remembered that the bill is to be passed upon by the people of the North as well as by the people of the South. We have seen that the South declares that the Constitution is not submitted by the bill. But the South is to construe the bill for itself alone, not for the North. Here is the language of a Democratic paper in the State of New Hampshire; it speaks fairly for the North:

"We present, in another column, the bill agreed upon by the conference committee for the admission of Kansas, which was reported on Friday last. It will be seen that it submits to the people of Kansas the simple and direct question, whether they will be admitted into the Union under the Lecompton Constitution, or remain a Territory until they number inhabitants enough to entitle them to a Representative in Congress. * * * It seems to us that this bill ought to satisfy every Democrat who has opposed the original bill for admission with the Lecompton Constitution, for the reason that the people were not allowed to decide for themselves whether they would have that Constitution or not. By this bill, the people are allowed to decide that question; it is to be fairly and squarely submitted to them."

Now, I find myself in a dilemma. I have proved that the Lecompton Constitution is not submitted by this bill, and I have also proved that it is so submitted. Here is a paradox—a case in which each of two propositions is true, while the propositions themselves are as irreconcilable as free will and fate, the great antagonisms which so much perplex the theologians. I am not willing, however, to stop where the theologians stop, without trying to harmonize the conflicting elements. I am determined to find out how it is that this bill does not at all, and yet does, effectually submit the Lecompton Constitution to the people of Kansas. I think I have found it. The honorable Senator from Missouri, chairman of the conference committee, [Mr. GREEN,] has helped me out of the dilemma. He has told us that, although the life or death of Lecompton hangs on the acceptance or rejection of the dowry of the people of Kansas, yet that result is only a consequence of the acceptance or rejection of that dowry; and what have Congress to do, with such remote and consequential consequences as that? The real consequence of the bill, the consequence which Congress looks to, is the first consequence merely, dowry or no dowry. If after and beyond that there shall come a further consequence for good or for evil, which Congress did not choose to care for, Congress have nothing at all to do with it. This is a convenient way of disposing of a paradox, and I beg to recommend it to the theologians, for their use in reconciling the existence of evil with the beneficence of God. Just limit the responsibility of the Creator to the first consequence of each cause, and let all later consequences go over to the arch fiend of evil to defend or answer for. This explanation of the honorable Senator, although it seems perfectly clear to me, yet was not quite satisfactory until I had cast around to see how effectual it was in composing other perplexed minds. Sir, the first member of Congress who in the House of Representatives broke ground against any Kansas bill that should not submit the Lecompton Constitution to the people, is an honorable gentleman of Ohio, representing, I think, the Capital district of that great State. He defended his position and mine in language so strong, with a tone so bold, and with a logic so triumphant, that I cheerfully contributed something from my own means to give a wide circulation to his impassioned and conclusive address. It has thus been scattered with my own agency broadcast over the land. Certainly he is a man who could not be made satisfied of the equal truth of two conflicting propositions by any inconclusive argument. I think it due to him that in this poor way I should aid him in giving to the world his explanation of the harmonies of this new bill, which has his full support.

“Mr. Cox said he was first in the House to oppose the Lecompton Constitution, yet he had come to the conclusion to sustain the report. Proper considerations had actuated him throughout. Though the Constitution was not to be submitted, the report provided for obtaining the sense of the people on it.”

There, Mr. President, is an explanation as is an explanation; an explanation most satisfactory—most triumphant. A process has been provided for obtaining the sense of the people of Kansas on a question which is not submitted to them. Sir, there is no State but Ohio that could have provided the logician who could solve this hard problem with the singular felicity thus displayed. Well, Mr. President, being a little inquisitive, I have looked farther to find out if I could the nature and form of this process by which the sense of the people in regard to the Lecompton Constitution is obtained, without submitting the question to them. I have found out the secret. I can't describe it otherwise than by an illustration or example. I suppose that in a Know Nothing or Masonic Lodge it is proposed by some that a certain candidate shall be admitted. All are unwilling to give offence by rejecting, and yet a majority are unwilling to accept him. They have in those societies, as I understand, balls of two colors, white balls and black balls, which they use as tokens in casting votes. Now, the society ingeniously resolves, that whereas there is a difference of tastes among its members, some preferring to use black balls and others to use white, therefore they will ignore altogether the question of admitting or rejecting the candidate, but will take a vote to settle the dispute about the balls. The members shall severally deposit a white ball or a black one in the urn, just which he pleases. If there are more white balls than black, the white balls have the preference, and the candidate nominated shall come in; but if more black balls than white ones shall be deposited, then “it shall be deemed and taken” that the Lodge prefer black balls to white; and not only this, but it shall also “be further deemed and taken” that the candidate was a very unworthy person, and he shall

thereupon never be admitted at all, or at least until he shall have grown ten years older. [Laughter.]

Mr. President, to use equivocation in legislation is an act of immorality deserving of severe censure. What reverence, what respect, what submission, what obedience, can you expect from the citizen, if Legislatures resort to such reprehensible practices in making the laws? There are very bad consequences of this immoral transaction lying in the future, if they be not prevented by the vigilance and resolution of the people. The measure in that case will draw after it, not merely the admission of one or more slave States into this Union, to increase already our too serious embarrassments resulting from antagonisms between the States, but all the grave consequences which must result from the establishment of a belt of slave States in the centre of the continent, from our Northern to our Southern border, directly across our great highway from the Atlantic to the Pacific. You have only by this, or by any other means, direct or indirect, to fix Slavery there, and you will have raised a wall of separation between the Eastern and the Western, the Atlantic and the Pacific portions of the empire, more insurmountable than the ridges of the Rocky Mountains, or the snow-clad summits of the further range that projects its shadow far abroad upon the waves of the Pacific.

Sir, it amuses me much when I hear patriotic and sagacious men predicting the removal of this Capital from the falls of the Potomac to the junction of the Allegheny and Monongahela, or sometimes, with a longer forecast, to Cincinnati, the Queen City of Ohio, or farther on to St. Louis, and so settling and fixing the centre of power in the valley of the Mississippi. Sir, if you will only confine this institution of Slavery within its present ample boundaries, giving it no further room nor verge, the Capital of this country may remain where it is, but the centre of the Union will fall nearer the valley of Mexico than the valley of the Mississippi. Then that Federal authority will grasp the equator on the one side, and the northern pole on the other. But no such promise, no such hope, awaits the Republic, if you separate the free Atlantic States from the free States of the Pacific coast.

Sir, while this bill ignores the actual dispute out of which it originated, it suppresses with double care the great controlling political fact which lies everywhere just beneath the surface of the whole debate. If Kansas shall come into the Union under the Lecompton Constitution, she will come in as a slave State. If she come under any other Constitution, it is hoped by those who advocate Freedom that she will come as a free State. This bill gives to Kansas the choice of being a slave State, and only that choice. You have already induced the Supreme Court of the United States so to pervert your Constitution, that the President, on their authority, declares that Kansas, while she is a Territory, is as much a slave State as South Carolina. The change you offer her is, that if she will accept the Lecompton Constitution, she shall be recognised in name and form as a slave State, in lieu of remaining a slave State in the form and stature of a Territory. Sir, your bill does indeed say that in the future—God knows how far in the future it may be—if the people of Kansas, if they shall now reject the Lecompton Constitution, may make a Constitution for themselves, and send it here for your consideration; but it shall not be done until they shall have a largely-augmented population. Sir, this postponement is a mockery! When the people of Kansas shall come here with a free Constitution, years hence, they will do only what they did two years ago. You refused them then. When they come here with a Constitution making them a free State, and submit it to you, they will have a Constitution that contains just what they had in the Missouri prohibition of Slavery, thirty-eight years ago; and you struck that prohibition from the statute book. When they come, years hence, be they few or many, and ask to be admitted a free State, they will be just exactly in the same attitude they maintain now, and demanding then only what they demand now, and what you refuse them.

Sir, you are only asking us to wager against chance, backed by device and fraud. Here is a piece of silver, of the coin of the United States. On this side is the Eagle; on the other, the figure emblematical of Liberty. You cover it with your hand, and say to Kansas, wager whether the "Eagle" or "Liberty" is uppermost. Say "Eagle," and you have "Slavery;" say "Liberty," and still "Slavery" wins the wager. Sir, this bill is no new piece of music. It is Lecompton over again, only with a new variation; but the abhorrent air of fraud pervades the whole arrangement of the composition.

I beg now to say most distinctly that this bill must in both Houses owe its pas-

sage to the votes of representatives of the free States of the North and West. I beg, therefore, to ask the honorable Senator from Pennsylvania, [Mr. BIGLER,] himself a representative of the first State in this Union that after the Revolution moved for universal Freedom, what the people of Kansas have done, that they shall not be indulged at least in an equal choice between Liberty and Slavery? I ask my venerable and esteemed friend from Rhode Island, [Mr. ALLEN,] the land of Roger Williams, how he supposes that he can reconcile that proud and patriotic free State, that one which was earliest and most completely free of all the States in this Union, to this bill, which gives State power and prestige and a dowry of lands to Kansas if she will choose Slavery, and gives her provincial degradation and debasement, with poverty, if she elects Freedom? I ask my excellent friend from Iowa, [Mr. JONES,] he who represents a State carved out of that rich and beautiful domain which, having been acquired by purchase from France, was dedicated to Freedom by the Missouri Compromise—the same great act which originally guaranteed Freedom to Kansas, but which guaranty was broken to Kansas, though preserved to Iowa—I ask him what answer he will give to that gallant people, for having planted on their border a State which was denied the liberty to choose on equal terms between Freedom and Slavery? I will not ask the honorable Senator from California, [Mr. GWIN,] whose State was saved to Freedom by efforts other than his own, but who knows that, by that very salvation, there was saved to California resources of wealth, and strength, and power, which secure her control over the Pacific coast of this continent, and render her self-sustaining and almost defiant—I will not ask him for an explanation. I said, when California was admitted, that the slave States need not fear her; that though settled by a population chiefly from the free States, California, owing to a disastrous conjunction of parties at the time, would prove for years to come the strongest slave State in the Union. I will not ask the honorable Senator from Ohio, [Mr. PUGH,] for I have already interpreted, according to my humble ability, the views by which he reconciles this measure to the judgment of his great constituency. I would, indeed, ask the honorable Senators from Indiana, but they may have that question to settle at home speedily, without being interrogated here.

My honorable friend from Vermont [Mr. FOOT] reminds me that I have forgotten New Jersey. Sir, I will speak for New Jersey myself. The blood of men who hazarded life, fame, and fortune, for Freedom, in the "Jerseys," courses through my own veins. I know the blue hills of the Jerseys well. They are mingled with all the fond recollections of my childhood. I will answer, that the votes which are given here for this Lecompton bill are the last votes which in ten years will be given for Slavery by representatives of New Jersey.

Mr. President, I have shown that this bill gives to the people of Kansas only the show of a choice between Freedom and Slavery. I have next to show that it provides for overriding, counteracting, and defeating this very shadow of a choice, if it shall be in favor of Freedom. The bill provides, not that the people of Kansas or their Legislature or their authorities shall appoint the commissions under whom the contemplated election shall be held and its results ascertained, but a board, to consist of five persons; and, while it allows two to be named by the people of Kansas, it asks three for the President of the United States. Now, sir, there have been five agents appointed already by the President of the United States and his predecessor, to hold elections and return results in the Territory of Kansas, and every one of them has been repudiated, dishonored, and disgraced, for having struggled to prevent fraud, and to ascertain and certify the truth about these elections. The ghosts on the banks of the Styx constitute a cloud scarcely more dense than the spirits of the departed Governors of Kansas, wandering in exile and sorrow for having certified the truth against falsehood in regard to the elections between Freedom and Slavery in Kansas.

Sir, I am accustomed to measure my words, when I speak of other men, even of public men. Knowing how liable I am to err myself, I think I have so much of charity as induces a favorable judgment of an adversary, to the full measure that I ask and expect it for myself. But though it is with pain and shame and mortification, yet I do confess that I cannot trust the President of the United States. It is the most humiliating confession I have ever made in the presence of my countrymen and before the world; for whenever I have looked over the long roll of Kings, Princes, Doges, and Emperors, and have seen how their careers, so often began in fraud, culminated in assassination, and ended in violence, I have said that a

complete demonstration of the success of the American Constitution is found in the fact that, with all its defects, and amid the erratic and sometimes tumultuous movements of the people, the catalogue of names of those who have filled the Presidency exhibits a splendor of virtue far outshining that of any dynasty that has ever ruled any nation on the face of the whole earth. Sir, if the President of the United States had ever allowed, not to say if he had enforced, fairness in the elections of Kansas, she would not be a suppliant, trembling with dismay and apprehension in the Senate of the United States to-day. I know that, in speaking thus plainly, I shall wound the sensibilities of some public-spirited and patriotic men. They will cry shame upon me, when I disparage the fame of the President of the United States. But, sir, I am used to that. The world is used to that. I remember that there were patriots in Virginia who cried shame on Patrick Henry, when he denounced George III. There were not wanting patriots in the Senate of Rome, who heard with pain Cato denounce the first Cæsar. Sir, those who have dragged Liberty down from her shrine, and trampled her into the dust, have not often been those who in Senates accused Emperors, Kings, or Presidents.

Upon what ground is this bill, thus shown to be so gravely objectionable, recommended to us? First, it is commended as a compromise. The honorable chairman [Mr. GREEN] tells us, that where there is a difference between two parties or interests, there can never be a settlement unless there is a compromise; that the House of Representatives have given up something, and that the Senate have given up something to the House, although everybody except myself has failed in finding out what there is either given or gotten. Still we are to accept the bill as a compromise. If it is a compromise urged upon me, it must be one that gives me something of Freedom in exchange for much of Slavery. What do I get of Freedom for Kansas? The privilege for that people to make a Constitution when they shall have a population of one hundred thousand souls, and coming here then and presenting that Constitution to Congress for its approval. Very well. Is Kansas to be a free State then? No. Then Kansas shall be admitted either free or slave, just exactly as the people shall desire. Well, sir, that is just what the Kansas-Nebraska act gave us in 1854. We have had that great privilege ever since. We could always make a Constitution, and come here and obtain admission, either free or slave, as we pleased, according to the text of your statute book. But we have come here and demanded Freedom, and have been contumaciously spurned from your presence. We refuse to be admitted a slave State, and we are remanded home to try it over again, and reconcile ourselves to Slavery, under the penalty of coming here no more until we number one hundred thousand souls. If Kansas shall do this, and be docile and quiet, you think now that you will admit her when she come as a free State, half a dozen or a dozen years hence. But you hope, nevertheless, that in the mean time she will be demoralized, and so will come at last as a slave State. I tell you, moreover, that when she shall come again as a free State, as she will, you will then be unable to satisfy yourselves upon her full compliance with all the forms required to be observed by a State in reaching that happy condition. Sir, let us not deceive ourselves. There is no Freedom for Kansas under this bill.

But a compromise is made between two contending parties, by their representatives. Who are the parties here? The real parties in this dispute are, on the one side, the Free-State party of Kansas and the Republican party of the Union; and on the other hand, the Slave-State party of Kansas and the Democracy of the Union. This compromise is one made between the two factions of the Democratic party, excluding every Free-State man of Kansas and every representative of the Republican party in Congress. There is not one in our whole number who consents to this bargain. It is, therefore, just no compromise at all; it is only the pretence of compromise. Sir, I was born suspicious of legislative compromises. That temper has grown on me more and more every day of my life. I have studied their dangers, and seen the evils that resulted from them; and I made up my mind, when I came here, that I would harden my face as a flint against any compromise whatever between Slavery and Freedom. This so-called compromise, however, inspires me with hope unknown before. I look on it with more complacency than I have ever looked on any other; for it is such a weak and pitiful imitation of the great compromises which have been hallowed in the respect and affection of the people of the United States for generations, that it will bring the whole system of compromises itself, henceforth and forever, into ridicule and unmitigated contempt.

The honorable Senator from Virginia [Mr. HUNTER] and the honorable Senator

from Missouri [Mr. GREEN] commend the bill to us as a measure of peace; at least, the honorable Senator from Virginia promises that it will bring a truce for four or five years. Sir, there is no peace in this world for compromisers; there is no peace for those who practice evasion; there is no peace in a republican land for any statesmen but those who act directly, and boldly abide the popular judgment whenever it may be fairly and clearly and fully ascertained, without attempting to falsify the issue submitted, or to corrupt the tribunal.

Sir, beneath the thin gauze that is spread over this signal of truce, I see distinctly mingled stains of fraud and blood, black spots and red, the true unerring marks of a piratical flag. If you mean by troubles to be composed, apprehensions of civil commotion, of violence, of turbulence, of sedition, of faction and civil war, I tell you frankly that you need be at no pains to make peace to prevent those dire evils. This cause of equal and impartial Freedom in the States has at last become strong enough to work its way through lawful and constitutional forms to its destined and final triumph. But if you mean, on the other hand, that agitation which has already given to that great cause the strength and power it now exhibits, and if you expect that that agitation will be arrested or suppressed by this or by any other legislative device of this nature, then let me tell you that you reckon altogether wildly.

I smile when I hear Senators talk about the people getting tired of Kansas and this eternal agitation of Slavery. They consult the commercial presses of Baltimore, Philadelphia, New York, and Boston, and those oracles respond with assurances that the people are exhausted, and willing and impatient to have the Kansas question ended in any way, with popular sovereignty or without, with fairness or without, with or without Slavery. Sir, they see only the eddy; they do not stretch their vision far enough to see the tide. They make the same mistake which the felon did a few months ago, when in the darkness of the winter's night, on the bank of the Genesee, he slew his brother, and precipitated the mangled body down into the river, just below the first fall, and just above the other, thence to float down the last cataract, and be buried forever in the lake below. But when the morning came, the corpse of the victim lay floating on the shallow water by the river side. He had mistaken the eddy near the shore for the full and ever-swelling flood, which man can by no art or power compress or restrain. Senators, you shall have peace in Kansas, you will have peace in Kansas. It will come, not by reason of what you do to court or compel it, but in spite of yourselves; but it will come in the train of the triumph of peace-giving policy and principles.

How do you expect to get peace by this bill? By this bill, if it works as you expect, you will get a slave State, one way or another. You will get a slave State in one case by a popular election, under the operation of bribes and menaces. Will the people of Kansas remain corrupted after they have accepted your bribe and escaped your terrors? That is not in keeping with the character of the American people. You will get it by fraud—by a certificate from the President that popular sovereignty has gone in favor of Lecompton, when, in fact, it has gone the other way. Will that make peace? I should like to be near by, and see the new slave State attempted to be organized under the Lecompton Constitution.

I remember that legislators as wise as we—the world thought them much wiser—who had seats in St. Stephen's Chapel, and had a President whom they honored as much as we do ours, though they called him a King, insisted that the people of New York should live under what to them was a slave Constitution, while they had made up their minds to have a free one, established by themselves. The Provincial British Government went on board the Halifax packet, and thence sent forth its remonstrances and denunciations, under cover of his Majesty's guns. They were, however, merely *brutum fulmen*. After a short time, the British Government and the British ship disappeared together below the Neversink, to return no more forever. The British Parliament undertook, also, to rule Virginia under a slave Constitution as it was regarded by her. But, as the strife rose higher, the Provincial authority, with the prestige and power of the British Empire to back it, took refuge on board the schooner Fowey, and descended to Hampton Roads. There it committed a few pitiful invasions upon the property of patriotic planters and citizens of that great State, and then disappeared forever.

Sir, your Lecompton Government of Kansas will be afloat on the Missouri river when it begins. The Missouri will not be wide enough for its safety. It must go down, and pass into the broader channel of the Mississippi; and when you next

look for it, you will find it stranded on the beach of the Gulf of Mexico. There is to be no Lecompton State, no slave State, in Kansas. Nevertheless, you enact by this law that there shall be a slave State in Kansas, and there shall be no other. Well, sir, if you shall pass the bill to-day, as you say you will, it will reach Kansas in about ten days. In about ten days more, the new State of Kansas will be organized under the new Lecompton Free-State Constitution, and about the 7th day of June, when you are impatient to go home, Kansas will be beleaguering you here for admission as a free State. She will be telling you that she knows nothing about your projected slave State within her borders. She has not seen it; it is not there at all. You of course will spurn her from your path, and will go home. The people of Kansas will then appeal to the popular elections throughout the United States, which are to send to this Capitol twenty new Senators and a whole House of Representatives about the first Tuesday in November next. Now, I ask the honorable supporters of this bill here, belonging to the free States, about how many Democratic Senators and Representatives they expect will be returned by the people upon the passage of this bill? I ask for information. The honorable Senator from California [Mr. BRODERICK] has spoken for the only free State that I thought was hopelessly lost to us for a quarter of a century. For all the rest, I think that, if it were not presumptuous, I might speak myself. But I leave the representatives of those States to speak.

Mr. BIGLER. Will the Senator from New York allow me to interrupt him for one moment?

Mr. SEWARD. Certainly.

Mr. BIGLER. I do not desire to interrupt the Senator more than one moment; but I thought perhaps it would be well for him to know that the bill which we are discussing here has passed the other branch of the Legislature.

Mr. SEWARD. Well, Mr. President, then the people of Kansas will come here under the Lecompton Constitution, and meet you on the first Monday in December next, when you assemble here, and they will ask you to admit them as a free State. Have you any law that will prevent their coming in that character and for that purpose? The Constitution of the United States declares that the people may petition Congress, and they may petition for what they please. The people of Kansas may petition to be admitted as a free State, under the Leavenworth Constitution. Have you any constitutional prohibition to prevent me from voting in favor of their prayer? I shall vote for their admission as a free State, in spite of a thousand such laws as this. I tell you, moreover, that you yourselves, or a large number of you, will vote for it also, to prevent the question going over to the next Congress, then already elected, because that Congress would vote for it if you do not anticipate them, to save yourselves the credit of stanching the wounds of bleeding Kansas, and establishing forever the cause of Freedom.

All this will happen unless you send armies to suppress such proceedings in Kansas. Well, I should like to see the bill introduced into Congress now, to levy or supply an army to subjugate freemen and extirpate Freedom in Kansas. That game is ended. You cannot even pass a bill to maintain, or rather to regain, your authority in Utah against polygamists, without infinite trouble. I think I can take up the roll, and give the yeas and nays from the free States. I think my honorable friend from Pennsylvania [Mr. BIGLER] will vote aye, because he always stands squarely up to the Administration. It is a tower of strength to the patriotic statesman. It is calculated to fortify his courage and sustain his devotion to popular liberty and human rights—so long as it lasts. I think that my honorable friend from California [Mr. GWIN] will give his vote for this new army bill, for, like myself, he is apt to favor appropriations, and not very particular about the objects to which they go. But, there, I think the favorable responses will end. I rather think my honorable friend from Ohio [Mr. PUGH] will hesitate for want of instructions. My two excellent friends from New Jersey [Messrs. WRIGHT and THOMSON] would be found in the negative on that vote, because things are manifestly coming to close quarters in New Jersey. As to my honorable friends from Indiana, they will of course be absent, securing re-elections.

Mr. President, you will fail in obtaining a support of this policy, in the contest before you, because, for the first time, you will go before the people of the United States stripped naked of every pretence of equality or impartiality between Freedom and Slavery, much more of that virtue which is the only mantle that can now cover and conceal political faults in this country—devotion to Freedom and free

labor. The honorable Senator from Illinois, [Mr. DOUGLAS,] the honorable Senator from Michigan, [Mr. STUART,] and the honorable Senator from California, [Mr. BRODERICK,] with their associates in the House, and the honorable Senator from Kentucky, [Mr. CRITTENDEN,] and the honorable Senator from Tennessee, [Mr. BELL,] have stripped you bare of all pretences to fairness in the exercise of maintaining your own avowed policy of popular sovereignty. You will go before the people no longer in the character of a party that balances equally between Freedom and Slavery, but in the detested character of a party intervening for Slavery against Freedom. You will meet in the elections, not as heretofore, two or three factions, giving you a triumph by their divisions, which you could not win by your own numbers, but one party only, and that party combined, resolute, and animated by a sincere, deep, and common devotion to the principles it maintains. On the other hand, you yourselves, no longer united, will reach the polls in jealous divisions, and under different standards—one faction wanting Slavery, absolutely and without regard to partisan success or popular consent, the other hesitating and halting on the position of no Slavery anywhere, unless the people choose it.

Mr. President, let me try for a moment to lift this debate up from these temporary, ephemeral, and collateral incidents, to that height of argument where it belongs. The sixteenth century dawned on the decay throughout Europe and the world of a slave civilization, derived from early antiquity, and left as a legacy by the Latin or Southern States of the continent of Europe, on the fall of the Roman Empire. But it dawned also upon the rise of a new and better civilization—the civilization of Freedom—the civilization since developed of the German and Slavonic races; the civilization of Germany and of England, of Scotland, and Ireland, and Switzerland; in short, the now well-defined civilization of Western Europe.

The principle of the old Latin civilization, which was passing away, was that labor must be involuntary; must be secured by fraud and force, and must be converted into property, and bought and sold as merchandise. The new civilization was based on the principle of the freedom of labor, that it must be voluntary, and that it should be not only a political power, but that it should even become the ascendant and dominating political power throughout the world. While Portugal and Spain proved themselves competent to open and lead the great career of discovery, and the one revealed interior and southern Africa, and the other America, to the eyes of an astonished world, these two nations were, less than any others, qualified to inaugurate civilization on either continent. The Portuguese, with a cupidity and cruelty unparalleled, doomed Africa to remain perpetually in the barbarism with which she had been cursed from her earliest history, by establishing there the African slave trade, in which ten men were sold in exchange for one horse; and the Spaniards compelled America to receive, and for a while to remain encumbered with the civilization of labor by African slaves, captured and sold to them by the Portuguese. Our Constitution and our Union came into being seventy years ago, in a conjuncture when it was necessary to decide between those two systems of civilization found existing together within our borders. The States which have founded or adopted the new civilization are before you. Contemplate them, and say whether the world has ever seen communities so perfect and so prosperous. You see, also, the States which were founded on or have retained the old declining civilization of the Roman Empire.

All our new States have to choose between the two systems. We have a voice, at least an influence, in determining their decision. You are bent on forcing that old and *effete* civilization upon new regions where political and social evil has until now been unknown.

This question in regard to Kansas ought to have been settled fifty-five years ago, in 1803, when Kansas was added to the national territory by the treaty with France, as part of the Louisiana purchase. It was omitted then. It recurred in 1820, and then it was well and wisely settled, by dedicating Kansas forever to impartial Freedom. In 1854 you repealed that law, but the law you thus repealed was a statute of the Almighty, written upon the rivers and prairies and rocks of Kansas, as well as in the very constitution of American society. All you have done since consists of fruitless efforts to carry the ill-judged repeal of a benignant policy into effect, in defiance of the laws of nature. In what you have done heretofore, you have had what the whole world received as an excuse. It was the action indeed of the slave States, but it was not on their own motion. The suggestion came to them

from Senators from the free States, and it was not in human nature that they should resist it.

So, in 1856, when Kansas came here as a free State under the Topeka Constitution, and you rejected her, you still had the show of an excuse, for those same representatives of the free States assured you that the people of the free States would acquiesce. But you are now, after having failed in these efforts to establish Slavery in Kansas, persisting in and renewing them without that excuse. Two of those Senators, one of them the leader in the repeal of the Missouri Compromise, the other hardly less effective in that transaction, now remonstrate with you against further prosecution of your attempt, as impossible. Still another, from Michigan, remonstrates—I mean the late distinguished Senator from Michigan, now at the head of the Department of State, [General Cass.] I do not say that he remonstrates by speech, but I do say that the retirement of that eminent man from this Chamber, so suited to his talents, his genius, his tastes, and his fame, into a closet in an Executive Department of the Government, under an appointment by the President of the United States, is a louder remonstrance than any words he could utter, if his constituents had allowed him to retain his place among us, the representatives of the States.

Even that is not all. At last a new voice issues from your own region, from the South, from the slave States, and protests against your further persistence in this mad enterprise. The cohorts are gathering in the South; the men of conservatism, who, as they have heretofore moderated in favor of Slavery against Freedom, will now be obliged, in consistency with their just and well-established character and their political patriotism, to moderate against you in favor of Freedom, when the people are demanding Freedom, and rising up unanimously against Slavery.

Sir, this whole controversy is at last reduced and contracted into a quarrel on your part for revenge against these wise advisers. Instead of listening to their counsels, you will suppress their remonstrances and punish their authors as mutineers. Well, sir, this is a matter of small consequence to me. To myself, personally, the future of these distinguished Senators, and their associates in the House of Representatives, is nothing, except so far as the positions which they shall maintain shall bear on the result of the present contest to establish a new and better policy in the country. I know not, indeed, whether I shall be found hereafter laboring with them in efforts to promote the public welfare, or whether they will return to your councils, and labor in your own ranks, as heretofore. Nevertheless, I am sure of this—that you will not succeed in discrediting and proscribing them; for either you provide for yourselves a defeat, which the signs of the times indicate, or, in lieu of that, you will go down to 1860 under the influence of sentiments and feelings very different from that of 1858. A party in power in the first year of an Administration is apt to be bold and violent. A party going out of power at the close of an Administration generally is timid and hesitating. You will search the summits in New Hampshire, the plains in Mexico, and the halls of St. James in London, to find a Presidential candidate in 1860, who was against the Conference-Lecompton-Kansas bill in 1858; and then, if these honorable gentlemen with whom I have labored for a short time so pleasantly shall be found yet remaining within your political communion, I think I can promise them that you will come to a much better understanding with them than you have now.

Mr. President, while I am yet speaking, I learn that this bill, of so much evil omen, has passed the House of Representatives. I confess to you, sir, that it produces in my mind, if some disappointment, no discouragement. I confess that I am prepared for this conclusion; and that now, when it has come, (for what remains to be done in this Chamber is a matter of course,) it is to me utterly indifferent. I have known all the while that this was to be either our last defeat or our first victory. Either result was sure to be quite welcome. For Kansas, for Freedom in Kansas, I have not so much concern as I have about the place where I shall sleep to-night, although my house is hard by the place where I stand. Kansas, sir, is the Cinderella of the American family. She is insulted, she is buffeted, she is smitten and disgraced, she is turned out of the dwelling, and the door is locked against her. There is always, however, a fairy, that takes care of the younger daughter, if she be the most virtuous, the most truthful, the meekest, and the most enduring inmate of the domestic circle. Kansas will live and survive your persecution. She will live to defend, protect, and sustain you. The time will come when her elder sisters—sisters now so arrogant, Louisiana, Virginia,

and Pennsylvania—will repent themselves of all the injustice they have done to her. Her trials have not been imposed on her for naught. She has been made to take the hard and hazardous position of being the first of the States to vindicate practically, by labor, by toil, through desolation, through suffering, and blood, the principle that Freedom is better for States and for the Republic than Slavery. She will endure the trial nobly to the end, as she has borne it hitherto; and as she has been the first, so she will be the last, to contend and to suffer. Every Territory that shall come into the Union hereafter, profiting by the sufferings and atonement of Kansas, will come into the Union a free State. Sir, this unnecessary strife, so unwisely provoked by Slavery, draws to its end. The effort to make slave States within our domain is against reason and against nature. The trees do not spring up from the roots and seeds scattered by the parent trunks in the forest more naturally than new free States spring up from the political roots projected and the social seed scattered by the old free States. New stars do not form themselves out of the nebulae in the recesses of space, and come out to adorn and illuminate the blue expanse above us, more necessarily or more harmoniously than new free States shape themselves out of the ever-developing elements of our benign civilization, and rise to take their places in this great political constellation. Reason and hope rejoice in this majestic and magnificent process. Let, then, nature, reason, and hope, have their heaven-appointed way. Resist them no longer!

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